

REMARKS

In the final Office Action mailed October 21, 2004, the Examiner noted that claims 1-21 were pending, and rejected all claims. Claims 1-21 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

Page 3 of the Office Action rejects all claims under 35 U.S.C. § 103 over Henson and Smith.

37 CFR 1.113 Final rejection or action states:

(b) In making such final rejection, the examiner shall repeat or state all grounds of rejection then considered applicable to the claims in the application, clearly stating the reasons in support thereof.

MPEP 706.07 Final Rejection states:

Before final rejection is in order a clear issue should be developed between the examiner and applicant.

...

In making the final rejection, all outstanding grounds of rejection of record should be carefully reviewed, and any such grounds relied on in the final rejection should be reiterated. They must also be clearly developed to such an extent that applicant may readily judge the advisability of an appeal unless a single previous Office action contains a complete statement supporting the rejection.

In the Amendment filed June 24, 2004, the applicant amended the second menu feature of the claims and explained to the Examiner that there is a relation between the selected candidate appearance and the interior parts displayed with the second menu. However, the Examiner has not responded to these features and this argument, and did not change the citations to Henson with respect to the second menu feature to point to a portion of Henson that addresses or suggest these features. As noted below, Smith is cited to address a different feature. It is submitted that a clear issue with the Examiner has not been reached and the finality of the Action is premature. For the above-discussed reason, withdrawal of the finality of the Final Office Action is requested.

In making a prima facie rejection for obviousness a line of reasoning needs to be provided (see MPEP 2142 & 2143). As the Examiner did not change the citations to Henson and provided no line of reasoning as to the features noted above, it is submitted that a prima facie case has not been made out and withdrawal of the rejection is requested for this reason.

Even if the finality and the rejection are proper, the present invention distinguishes over the prior art for the reasons discussed below.

Henson discusses a system for building custom order computer systems, and more particularly, discusses an online store with a user interface that enables a customer to custom and configure a computer system. Pricing and ordering is also included. Henson and does not disclose the combination of features of "a first menu containing the appearance specification images showing the appearance of the respective candidate custom-made products, for selection by a customer, upon receipt from the manufacturer server" and after the customer selects a displayed candidate, displaying "a second menu containing interior specifications of specific interior parts of different categories of interior parts, where the specific interior parts of the different categories correspond specifically to the selected candidate custom-made product of the appearance specifications, where the interior specifications are displayed for selection by the customer" (see claim 1 and similar features in claims 6, 10, 14, 16 and 21). As noted previously, there is a relation between the selected candidate appearance and the interior parts displayed with the second menu. For example, if specifying a computer, the customer could choose a candidate based on appearance, and the available interior parts to be specified can be displayed for customization by selection thereof. It is possible for the user to select an "appearance" that will not allow the particular "parts" that the user desires to be included in the computer, such as when a computer casing is too small. The present invention will allow the user to see this. Henson does not teach or suggest this or provide such a capability. Rather, Henson displays a web page (figures 3, three a, three B., three see etc.) that shows all the available options for any computer system selected on a welcome page. Henson does not describe the appearance of this welcome page and does not describe a second menu as discussed above. Henson discusses online customization but does not mention or suggest displaying the actual appearance of candidates or displaying selectable interior parts based on a selected candidate appearance.

Smith does not teach or suggest anything relative to the second menu features of the invention discussed above. The new Smith reference is cited only for specification images and does not relate to the arguments about the second menu feature noted above.

Rather, Smith discusses a system for configuring cubicles or office workstation modules. The products being configured are modeled with CAD data. As mentioned at column 4, lines

19-22, "at any stage of the furniture configuration, the user is able to obtain a realistic display of the configuration and is then able to view that display from arbitrary view points". See also column 9, lines 37-43. Furthermore, the CAD data that is rendered and displayed is built up with configuration selections by the user. The configuration images displayed by Smith are rendered at the time of configuration and are not pre-stored before configuration begins.

In contrast, the exterior specification images of the present claimed inventions are "pre-stored" before configuration begins.

It is submitted that the invention of independent claims distinguish over the prior art and withdrawal of the rejection is requested.

The dependent claims are deemed patentable due at least to their dependence from allowable independent claims. These claims are also patentable due to their recitation of independently distinguishing features. Withdrawal of the rejection of the dependent claims is respectfully requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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